

Missouri Department of Labor and Industrial Relations

# 2005 Annual Report



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[www.dolir.mo.gov](http://www.dolir.mo.gov)

## Letter from the Director

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It is with great pride that I present to you the 2005 Annual Report of the Missouri Department of Labor and Industrial Relations.

This Department carries out a wide range of services designed to keep Missourians safe at work, support businesses, provide economic security for those injured on the job or unemployed, and protect citizens through a variety of regulatory functions.



In early 2005, the Department identified performance measures designed to allow accountability to the citizens and taxpayers of Missouri. The performance measures will assist the Department in gauging its success in meeting customer needs.

Over the past year, the Department focused on improving performance measures that directly tie to our vision, mission and values. The following report provides a glimpse of the accomplishments and challenges the Department faced in 2005. We look forward to working with customers to improve services and exceed their expectations in the years ahead.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Tom Deuschle".

Tom Deuschle  
Director



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# Introduction



*Unemployment insurance program staff*



*Kansas City Regional Claims Center staff*

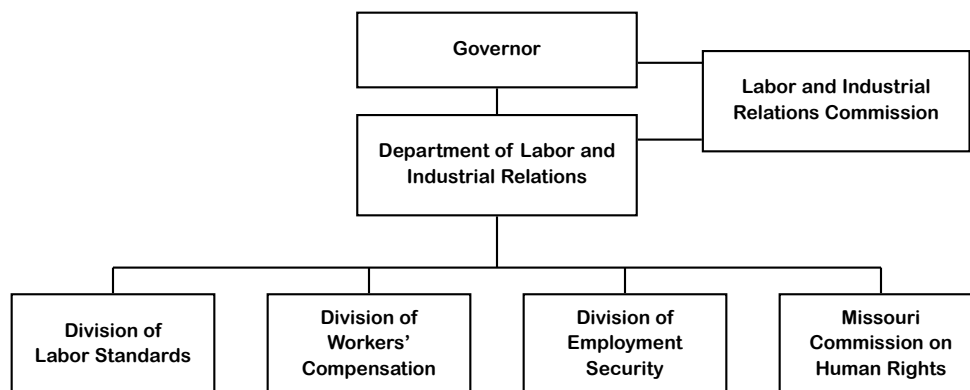


*DOLIR new employee orientation*

## *Department Overview*

The Omnibus State Reorganization Act of 1974 established the current Department of Labor and Industrial Relations. The Department is responsible for administering programs that (1) provide an income contribution for workers to offset the loss of a job because of injury; (2) provide an income contribution for workers to offset the loss of a job because of layoff; (3) determine the appropriate bargaining unit for public employees; (4) regulate wages for public works and construction projects; (5) promote safe working environments; (6) enforce Missouri's anti-discriminatory statutes and protect Missouri citizens in the areas of housing, employment and public accommodation; and (7) investigate allegations of workers' compensation fraud and noncompliance.

Agencies operating within the Department are: Labor and Industrial Relations Commission, Division of Labor Standards, State Board of Mediation, Division of Workers' Compensation, Division of Employment Security, the Missouri Commission on Human Rights, and Director and Staff Administration.



As a result of Executive Order 05-16, the duties and responsibilities assigned to the State Board of Mediation were transferred to the Labor and Industrial Relations Commission. The transfer was effective July 1, 2005.

Please refer to pages 26 through 30 for a complete listing of all agencies and services offered by the Missouri Department of Labor and Industrial Relations.

## Contact Us

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### Division of Workers' Compensation

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### Missouri Commission on Human Rights

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## *Strategic Direction*

### **Vision**

Ensure Missouri has safe workplaces free from discrimination, an economically secure workforce and provide the most efficient services to those that do business with us.

### **Mission**

The Missouri Department of Labor and Industrial Relations promotes economic security as well as protects wage earners and individuals against discrimination by improving working conditions, enforcing labor and anti-discrimination laws, and helping those unemployed, injured on the job or victims of crime.

### **Values**

**Leadership** – Be the front-runner in administering state and federal laws regarding employer and employee rights and responsibilities.

**Partnerships** – Collaborate with federal, state, and local partners and employees, other governmental agencies, communities and customers to provide the best environment for all who work in Missouri.

**Accountability** – Streamline programs and services to provide Missourians with exceptional service in the most cost-efficient manner.

**Inventiveness** – Provide the most innovative, creative and hassle-free services to Missouri citizens.

## 2005 Highlights

### Significant Workers' Compensation Law Changes Took Effect in August

Senate Bill 1 and 130, dealing with the Missouri workers' compensation law, passed during the 2004-2005 legislative session and was signed by Governor Matt Blunt. The law went into effect August 28, 2005.



*Governor Matt Blunt and Workers' Compensation Director Pat Secrest after bill signing*

The new law brought comprehensive reform to the Missouri workers' compensation system, the most significant reform in over 10 years. Some important changes in the law included:

- ◆ Workplace accident or occupational exposure to be the "prevailing factor" in causing both the medical condition and disability;
- ◆ The workers' compensation law shall be interpreted strictly without giving the benefit of doubt to any party;
- ◆ Increased penalties against those who commit fraud under the Missouri's workers' compensation system that could result in either a class A misdemeanor or a class D felony and a fine; and
- ◆ A fifty percent reduction in benefits for an employee who sustains an injury in conjunction with the use of alcohol or nonprescribed controlled drugs in the workplace or in violation of the employer's rule or policy relating to a drug-free workplace.

Workers' compensation staff revised forms, procedures, posters and rules to comply with the new law.

### Customer Service is Emphasized through Accountable Performance Measures

Following Governor Blunt's lead to make state government more accountable to taxpayers, the Department established 30 concrete, measurable performance goals.

The performance measures selected will assist the Department in determining whether basic customer needs are being met. Successful measurements will lead to increased customer service and quality of service for Missourians.

The Department is using data from December 31, 2004 as a beginning benchmark. Each quarter, the Department will update its data and analyze the results for needed improvement. Performance results may be found at [www.dolir.mo.gov/strategic\\_plan](http://www.dolir.mo.gov/strategic_plan).

### Missouri Offers Employers Internet Option for Filing Quarterly Wage Reports

Missouri has made it faster and easier for employers to file a quarterly wage report required by the state's unemployment program. The Unemployment State Tax Automated Reporting (USTAR) system allows employers to file quarterly contribution and wage reports and submit payments through the Internet.

The Department piloted the initial release of this project in July 2004 with over 500 employers volunteering. USTAR was available statewide on January 4, 2005.

Every quarter Missouri employers are required to report the name, Social Security number and wages paid for each of their employees. Smaller employers mail the information on paper forms,



while larger employers submit their data on magnetic tape.

Under the new, secure on-line service the reporting process will be more efficient and provide 24-hour, seven days a week filing for employers. The new system will automatically calculate the total, excess and taxable wages and contributions, which will result in a tremendous time savings for employers.

USTAR was funded in part through a Remote Systems Access Grant from the United States Department of Labor.



*The development and creation of USTAR was a group effort from many department employees.*

## Missouri Commission on Human Rights Wins Video Award

The Missouri Commission on Human Rights (MCHR) received an Award of Distinction from *The Communicator Awards* 2004 Video Competition in March 2005. This was an international awards competition that recognized outstanding work in the communication field. Entries were judged by industry professionals who look for companies and individuals whose talent exceeds a high standard of excellence and whose work serves as a benchmark for the industry. The *Award of Distinction* is given to those entrants who exceed industry standards in production or communication skills. There were 2,937 entries from 48 states, the District of Columbia and seven other countries.

Approximately 18 percent of the entries won this award.

The MCHR developed the video: “The Amazing Adventures of the MCHR Win Team” in partnership with the Department of Labor and Industrial Relations’ training unit and the Department of Elementary and Secondary Education. The video demonstrates in a forum that is entertaining just what is and isn’t illegal housing discrimination based on race, color, religion, nation origin, ancestry, sex, physical/mental handicap, or familial status (families with children). The video is used by the MCHR to educate tenants and housing providers about the state and federal fair housing laws.



*“Award of Distinction” and certificate from The Communicator Awards 2004 Video Competition.*

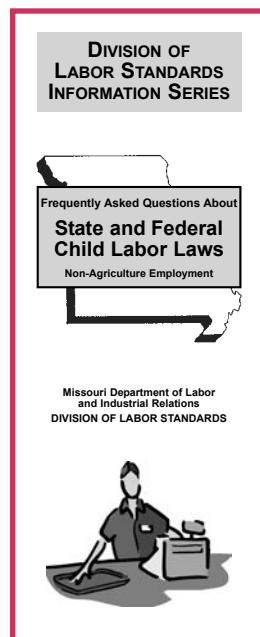
## Safe Jobs for Youth Campaign Kicks Off with New Child Labor Brochure

The Division of Labor Standards kicked off its annual “Safe Jobs for Youth” campaign in May. The national campaign focuses on educating schools, employers, parents and youth on workplace safety issues and creates a focus on preventing teen injuries on the job.

Each year approximately 200,000 teenagers are injured on the job (some fatally) in the United States. Of that, almost 1,200 of Missouri’s youth under 18 suffered injuries severe enough in 2004 to file injury reports.

Missouri’s child labor law restricts the age, number of hours and occupations in which youth can work. Prohibited occupations generally involve dangerous equipment (cookers, slicers), dangerous materials (toxic chemicals) and dangerous duties (driving, roofing). In addition, 14 and 15 year olds are required to get a work certificate from the superintendent of the school district in which they live.

The Division of Labor Standards created a brochure earlier in the year that provides child labor information regarding state and federal laws. This joint brochure will make it easier for customers to find laws that apply to working youth.



## Missouri Department of Labor Partners with Inspector General To Increase Unemployment Fraud Detection

The Missouri Department of Labor expanded its partnership between the state of Missouri and the United States Department of Labor’s Office of Inspector General (OIG). The expanded partnership will result in a closer working relationship between the state and federal governments in the detection and prosecution of individuals committing unemployment insurance fraud.

This expanded partnership between the state and federal governments includes three key components associated with collaboration and cooperation. The components are as follows:

First, the Missouri Division of Employment Security has granted on-line access to the state’s unemployment insurance records to the Office of Inspector General. This will allow the Inspector General to view records for audits, evaluations and to review the integrity of the records.

Second, the Inspector General has agreed to provide up-to-date training to division employees to assist them in fraud and abuse detection in the unemployment security system. The Inspector General brings both knowledge and experience of fraud and abuse schemes utilized in other states.

Third, a federal/state unemployment insurance fraud taskforce will be established. On a quarterly basis, the taskforce, consisting of OIG agents and Division of Employment Security personnel, will meet to review fraud and abuse cases for referral to state or federal authorities for prosecution.

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## **Missouri Department of Labor Receives Over \$1.9 Million in Federal Grants to Improve Unemployment Insurance Programs**

The Department's Division of Employment Security received more than \$1.9 million in federal grants from the U.S. Department of Labor to improve unemployment insurance programs in 2005.

Missouri received \$500,000 to implement an electronic folder system, which will help resolve unemployment insurance issues in a timelier manner. The electronic folder system will allow staff to quickly disperse the workload evenly across the four statewide phone centers to ensure optimum productivity.

Missouri also received \$500,000 for tax projects for Internet employer registration. The Internet Employer Tax Registration System will provide new employers with secure, private and convenient methods for filing employer registration information, determining employer liability, and offering a link to file tax and wage reports on-line.

Three grants totaling \$450,000 will be used for improving unemployment insurance Information Technology Security and Internal Security.

Nearly \$236,000 will be spent on implementing software that will assist in getting unemployment claimants the re-employment services they need faster and returning them to work quicker.


The remaining federal funds will be used to link unemployed workers to job opportunities faster, detect unemployment overpayments earlier and help Missouri implement procedures to prevent and detect unemployment insurance tax rate manipulation schemes.

## **Missouri Avoids Losing 2005 FUTA Credits for its Employers**

On November 9, 2005, Gov. Matt Blunt announced the US Department of Labor had approved his request to avoid reducing Federal Unemployment Tax (FUTA) credits given to Missouri employers. The request dates back to late June, when Gov. Blunt sent an Application for Avoidance of Tax Credit Reduction to the US Secretary of Labor.

The Missouri Division of Employment Security (DES) began borrowing money from the federal government in 2003 to pay unemployment insurance benefits to eligible claimants. The current amount of the debt to the federal government is approximately \$238 million, which was borrowed in 2003 and 2004.

Due to the length of time the state borrowed money from the federal government without repayment, Missouri was in jeopardy of losing FUTA credits for employers. Losing the credits could have cost employers across the state more than \$50 million or \$21 per employee in January 2006.



# Performance Measures



## Missouri Department of Labor and Industrial Relations

### Performance Measures

*For the period ending September 30, 2005*

## Secure Workforce

The Department strives to promote the economic security of workers and their families.

### TIMELY PROCESSING OF CLAIMS AND APPEALS

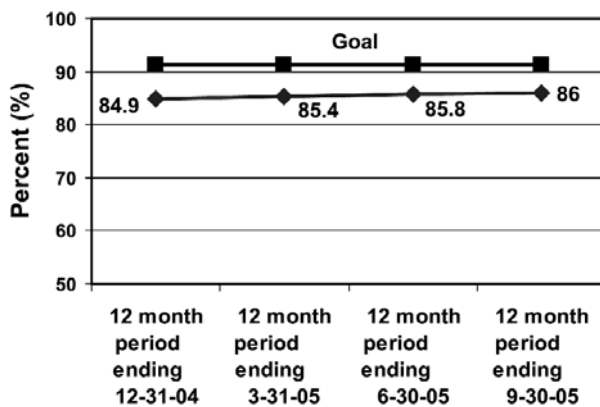
#### *Filing of Unemployment Insurance Benefit Claims*

The prompt payment of unemployment insurance benefits to eligible claimants is a primary objective for the Department. In state fiscal year 2005, the Department processed 352,990 initial, renewed and reopened claims. Of those workers filing a claim, 78.85 percent met the earnings requirements to establish monetary eligibility. Claimants are required to file for unemployment benefits each week. In state fiscal year 2005, 2,443,401 weekly claims were filed resulting in a total of \$481,105,287 paid in unemployment benefits.

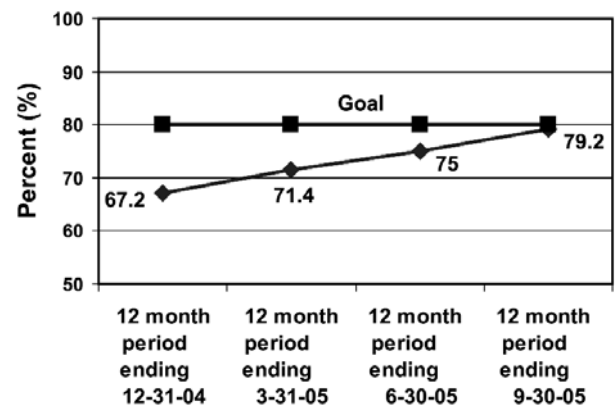
#### UI Wages and Benefits

| Calendar Year | Average Weekly Wage | Average Weekly Benefit |
|---------------|---------------------|------------------------|
| 2000          | \$ 598.95           | \$ 180.86              |
| 2001          | \$ 618.04           | \$ 195.05              |
| 2002          | \$ 626.40           | \$ 199.94              |
| 2003          | \$ 635.51           | \$ 200.00              |
| 2004          | \$ 650.72           | \$ 199.30              |

#### 91.3% of unemployment insurance intrastate first payments made within 14 days of compensable week



#### 80% of unemployment insurance nonmonetary decisions on separation issues completed within 21 days



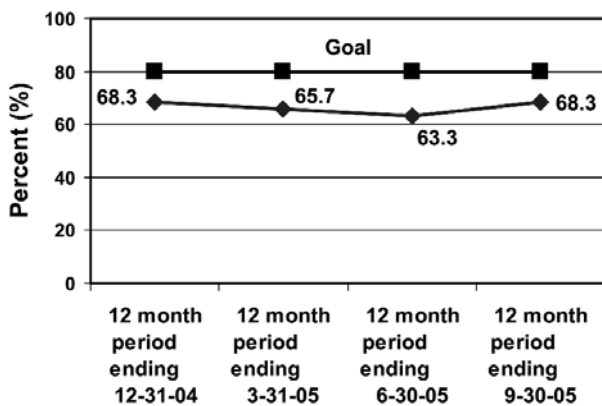
### *Filing of Work Related Injuries*

Over 142,648 workers' compensation injuries were reported in 2005. Providing prompt and equitable resolution of these cases requires that each case have accurate and complete information and that the information is received in a timely manner.

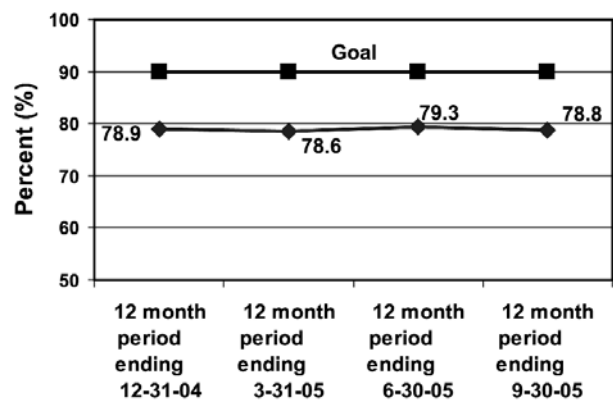


*Workers' compensation employee assisting a customer.*

#### **80% of workers' compensation decisions by Administrative Law Judges issued within 75 days**



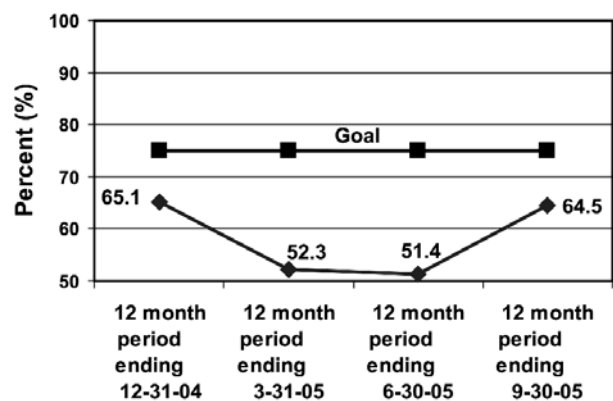
#### **90% of workers' compensation first reports of injury filed by insurers/self-insured employers within 30 days of injury**



### *Filing of Crime Victims' Compensation Claims*

The Crime Victims' Compensation Program provides up to \$25,000 of financial assistance to victims who have suffered physical harm as a result of violent crime. In state fiscal year 2005, the program awarded benefits to 1,192 eligible participants and \$6,902,841 was paid in benefits.

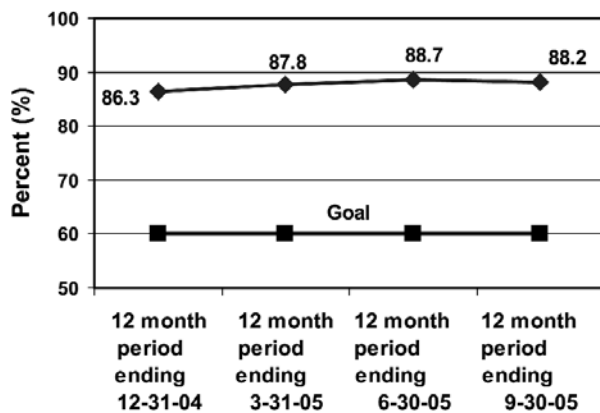
#### **75% of workers' compensation, crime victims claims processed within 45 days**



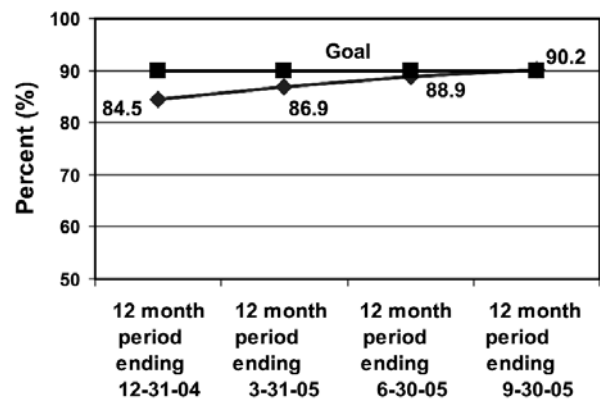
### *Processing of Unemployment Insurance Appeals Claims*

The Unemployment Insurance Program provides due process hearings for all appeals arising under unemployment insurance entitlement and other special programs. In state fiscal year 2005, 28,491 appeals cases were filed with the Division of Employment Security's Appeals Tribunal.

#### **60% of unemployment insurance appeals decisions are issued by the Appeals Tribunal within 30 days**



#### **90% of unemployment insurance decisions made by the Appeals Tribunal are affirmed by the Labor and Industrial Relations Commission**

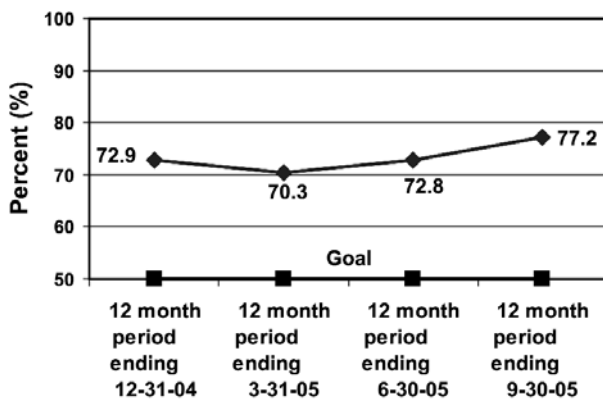




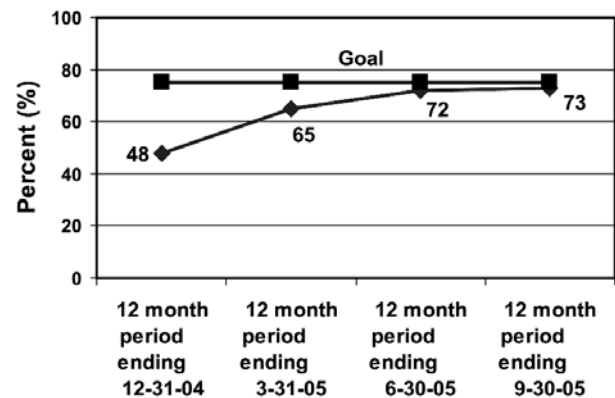
### *Processing Appeals at the Highest Administrative Level*

The Labor and Industrial Relations Commission hear appeals of unemployment insurance, workers' compensation, crime victims' compensation and tort victims' compensation at the highest administrative level. In state fiscal year 2005, 500 workers' compensation cases and 4,092 unemployment insurance cases were appealed to the Commission.

#### **50% of unemployment insurance appeals to the Labor and Industrial Relations Commission issued within 45 days**



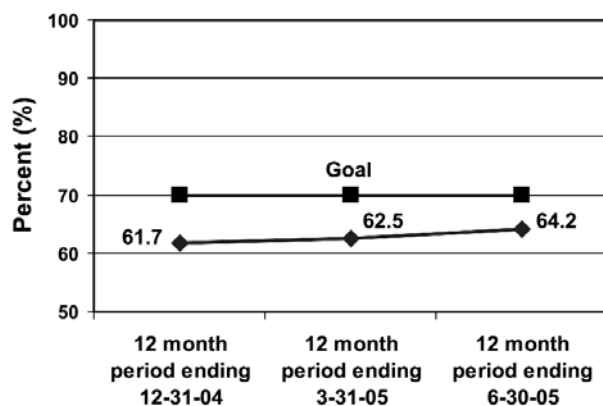
#### **75% of workers' compensation appeals related to awards issued by the Labor and Industrial Relations Commission within 180 days**



### *Reemployment of Unemployed Workers*

While the Department is not directly responsible for assisting Missourians find jobs, there are many functions the unemployment insurance program performs that help individuals become reemployed. The Department makes

#### **70% of unemployment insurance claimants reemployed within the quarter following their first payment**



referrals to employment services, conducts benefits rights interviews that help beneficiaries understand their responsibilities in making job search contacts and reviews job search activities for appropriateness and methods being used.



## Prepared Workforce

The Department works to secure economic security, enhance opportunities for Missouri workers and enforce anti-discrimination laws.

### *Review of Unemployment Insurance Benefit Claims*

In addition to meeting the earnings requirement for unemployment insurance benefits, claimants must also meet the non-monetary provisions of the law relating to job separation and eligibility while claiming unemployment benefits. Job separations for reasons other than a lack of work (quits, discharges, etc.) or refusals of suitable work will raise an issue that must be examined for potentially disqualifying information.

In state fiscal year 2005, 268,646 determinations were issued.

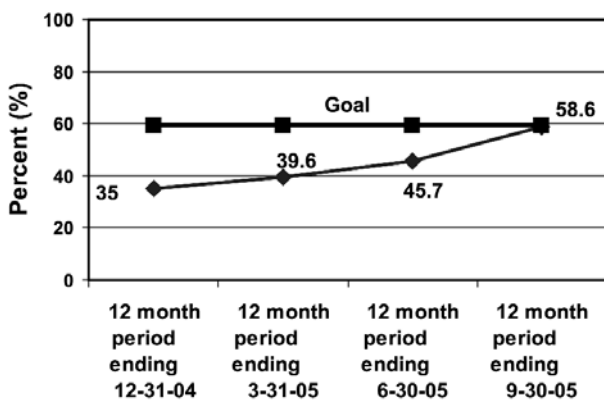
#### **Unemployment Insurance Benefit Determinations State Fiscal Year**

|      |         |
|------|---------|
| 2000 | 232,770 |
| 2001 | 261,715 |
| 2002 | 308,122 |
| 2003 | 322,758 |
| 2004 | 320,009 |

### *Collection of Unemployment Insurance Overpayments*

The collection of unemployment insurance overpayments is a high priority for the Department. Before the collection can occur, staff must review unemployment insurance claims to determine if the person who received the payments was eligible and received the correct amount. In state fiscal year 2005, a total of 18,301 separate overpayment cases were detected and established for recovery, resulting in the establishment of \$16,591,041.75 in overpayments.

#### **59% of unemployment insurance overpayments will be established for recovery**

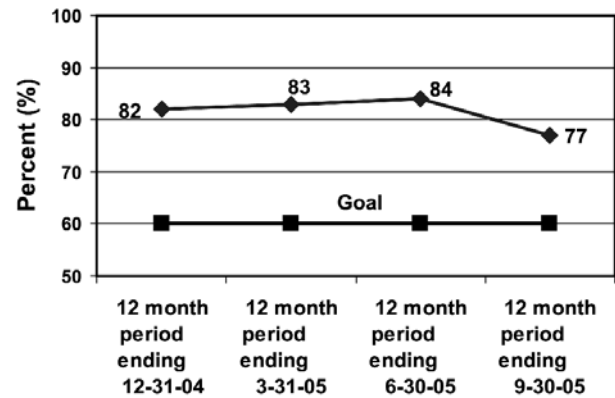


### ***Following Missouri Anti-Discrimination Laws***

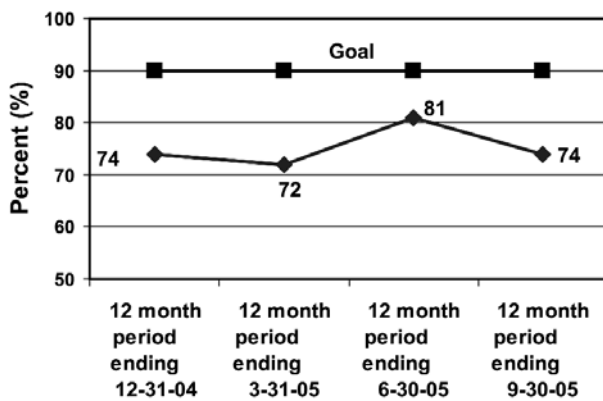
A prepared workforce includes citizens that are safe from discrimination in the areas of employment, housing and public accommodation. Missourians must feel secure at their job, have adequate housing and have the accommodations necessary to be productive citizens at work and in the community.

In state fiscal year 2005, 14,227 inquiries about filing a discrimination complaint were received. During the same period, 2,121 complaints were filed. Eighty-seven percent of cases filed were employment, 6 percent were housing and 7 percent were public accommodations.

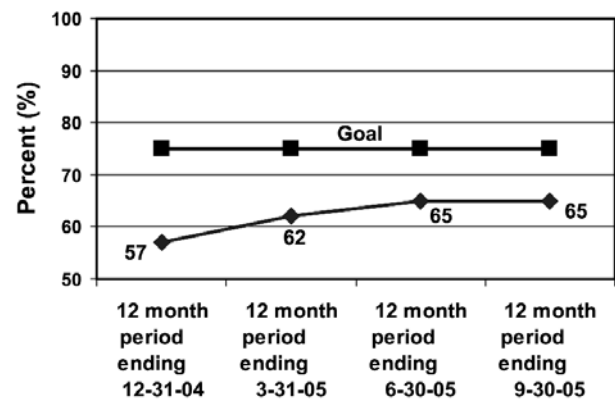
#### **60% of human rights investigations involving housing completed within 100 days of complaint receipt**



#### **90% of human rights investigations involving housing concluded through conciliation within 100 days of complaint received**



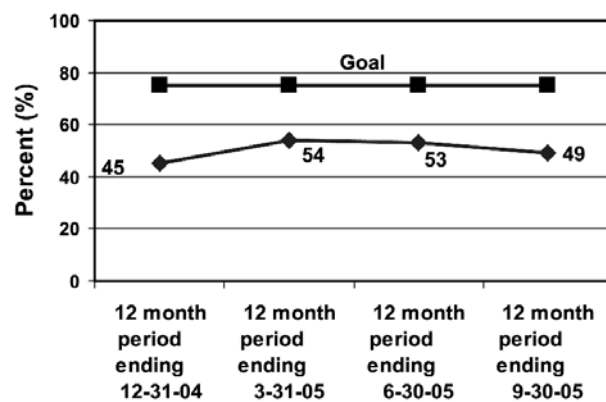
#### **75% of human rights charges involving employment and public accommodations resolved within 180 days**



### *Protecting Wage Earners*

The Department is responsible for establishing a minimum wage rate that must be paid to workers on public works construction projects in Missouri, such as bridges, roads and government buildings. To ensure the law is followed correctly and wage earners collect their appropriate wages, the Department investigates allegations of incorrect payment of wages.

**75% of labor standards investigations on complaint cases involving prevailing wage closed within an average of 120 days**

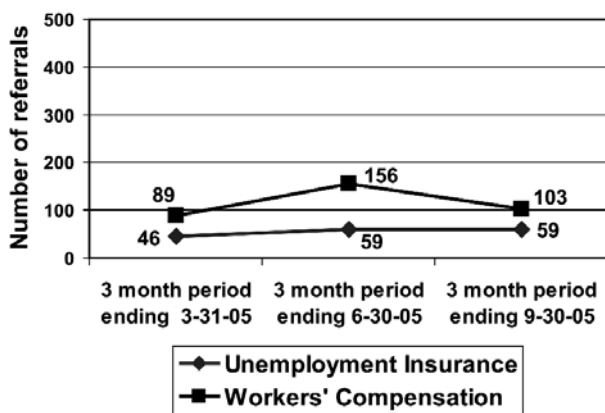


*Construction workers*

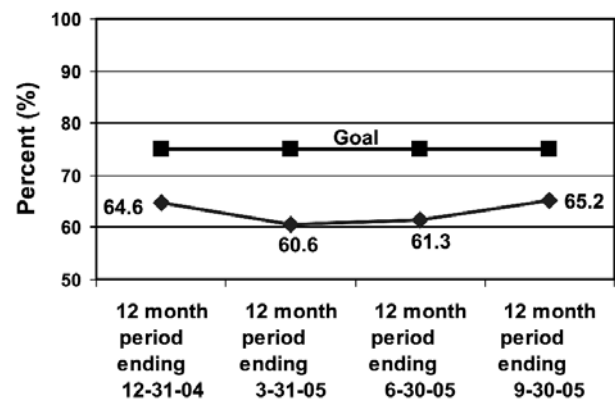
### *Unemployment and Workers' Compensation Fraud*

The Department is focused on identifying and prosecuting fraudulent unemployment and workers' compensation cases. An increased effort was made this year to strengthen partnerships between the Department and the US Department of Labor's Office of Inspector General and the Missouri Attorney General's Office. The expanded partnerships will allow for better detection and prosecution of individuals attempting to defraud the unemployment insurance or workers' compensation system.

**20% increase in the number of fraudulent/noncompliance cases referred for prosecution in unemployment (from 206 to 247) and workers' compensation (284 to 341) cases by December 31, 2005**



**75% of workers' compensation, fraud and non-compliance cases processed within 120 days**

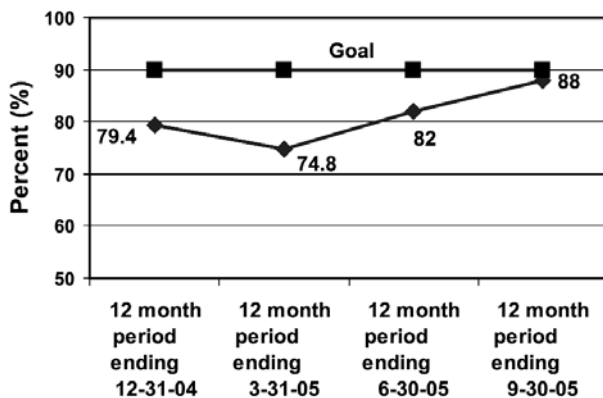


## Safe Workforce

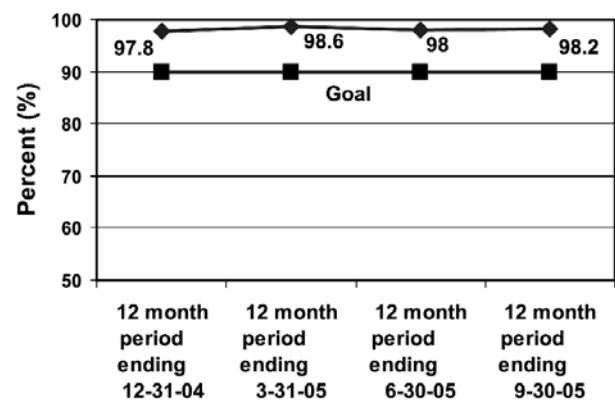
Unsafe and unhealthy workplace practices endanger the health and safety of Missouri's workforce and can hinder the educational opportunities and development of working youth. The Department offers three safety and health programs that help educate employers and employees about their workplace rights and responsibilities by providing workplace consultations and conducting educational trainings and presentations to employers and insurance companies. Over the past ten years, Missouri has witnessed a significant decrease in the number of workplace injuries reported.



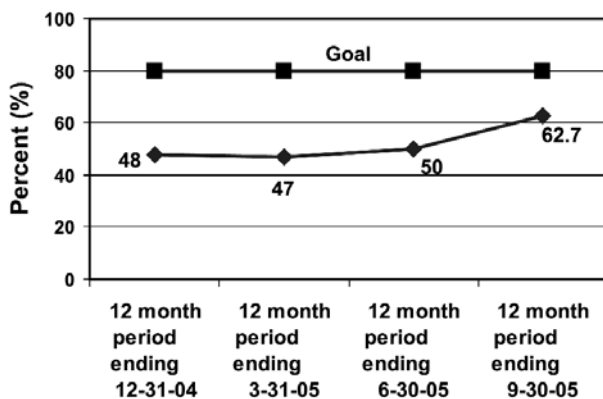
### 90% of labor standards inspections involving mine and cave safety made within 14 days



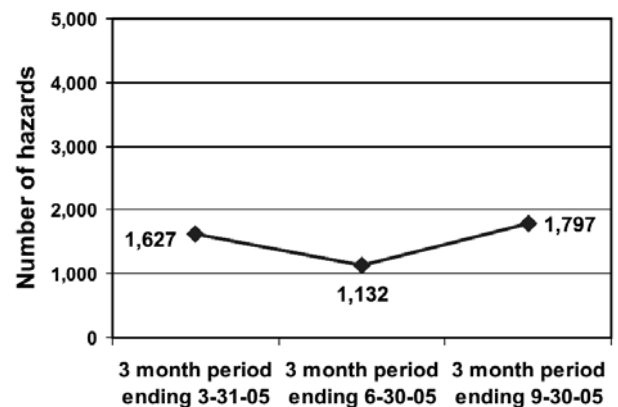
### 90% of labor standards safety and health initial consultation visits conducted in high hazard industries



### 80% of labor standards occupational safety and health written reports prepared and sent to employers within 14 days

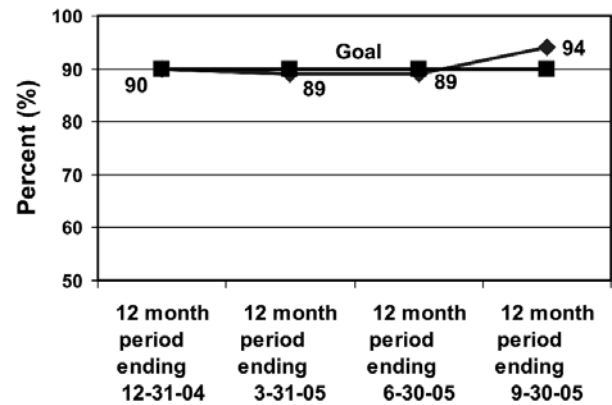


### Increase 5% (from 5,263 to 5,526) the number of workplace hazards identified and eliminated resulting in a 5% increase (from \$3,136,564 to \$3,293,392) of potential OSHA fines avoided by employers by year ending December 31, 2005



Each year, many youth are injured on the job. The Department investigated and resolved 4,068 violations of Missouri's Child Labor law in 2005 and positively impacted the lives of 3,178 working youth. Correction of violations leads to youth working in safe and healthy workplaces and provides better achievement of educational goals.

**90% of labor standards investigations  
on cases involving child labor completed  
within 120 days**



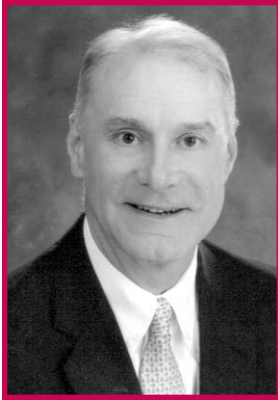
# Division Listing and Program Details





## *Labor and Industrial Relations Commission*

---



*William F. Ringer*  
Chair



*Alice A. Bartlett*  
Commissioner



*John J. Hickey*  
Commissioner

The Labor and Industrial Relations Commission is composed of three members. Each commissioner is appointed to staggered six-year terms by the governor with the advice and consent of the Senate. One member of the commission, a licensed Missouri attorney, who is qualified by reason of previous activities and interests, shall represent the public. Another member shall be classified as a representative of the employer and the remaining member shall be classified as representative of the employee. The governor designates a member of the commission as chair. Historically, the representative of the public has been designated and confirmed as chair of the commission. The present designee as chair is also the public member designee of the commission.

The commission hears appeals from decision and awards in workers' compensation, unemployment compensation, crime victims' compensation and tort victims' compensation cases, at the highest administrative level. In addition to these appellate duties, the commission hears and decides prevailing wage disputes. In addition, the commission is charged with the statutory authority to approve or disapprove all rules or regulations promulgated by the divisions within the department.

As a result of Executive Order 05-16, the Commission has the responsibility of determining an appropriate bargaining unit of public employees, based on their community of interests. It also conducts secret ballot elections to determine majority status. The Department saved \$64,751 by transferring the duties and responsibilities of the State Board of Mediation to the Commission.

The commission nominates and the governor appoints, subject to the advice and consent of the Senate, a director of the Department of Labor and Industrial Relations to be the chief administrative officer.

### **State Fiscal Year 2005**

4,264 Unemployment Insurance Appeals Decisions Issued  
548 Workers' Compensation Appeals Decisions Issued  
13 Prevailing Wage Objection Decisions Issued



## Division of Employment Security

Unemployment Insurance programs provide partial protection for workers against loss of wages during periods of involuntary unemployment. The benefits paid to insured workers bolster the economy of the state during periods of economic recession by helping maintain the level of consumer purchasing power.

The Division of Employment Security provides payment of unemployment insurance benefits to workers who become unemployed through no fault of their own. Eligible individuals may qualify for up to 26 weeks of unemployment compensation. One goal of the Division is to promptly supply payments of unemployment benefits to eligible claimants. Individuals may file claims by telephone or via the Internet.



*Katharine Barondeau*  
*Director*

Payment of benefits under the regular program are made from a trust fund supported by contributions from employers and payments by certain governmental and nonprofit employers who reimburse in lieu of paying contributions. No part of the contribution is deducted from a worker's wages.

The Division collects contributions from Missouri employers for the payment of weekly unemployment benefits to qualified claimants. The Division of Employment Security ensures that employers are reporting their workers' wages and paying the correct contributions on those wages.

An independent appeals tribunal hears and decides appeals arising from determinations made by Division of Employment Security deputies in unemployment benefits cases. Referees conduct hearings and issue

written decisions in regular unemployment insurance benefit appeals, appeals involving the tax liability of an employer and other special unemployment insurance programs.

### State Fiscal Year 2005

|               |   |
|---------------|---|
| 134,774       | Employers Liable for Contributions            |
| 16,885        | New Employer Accounts Established             |
| \$484,759,319 | Employer Contributions Collected              |
| 3,481         | Employer Compliance Audits Completed          |
| 352,990       | Initial Claims Filed                          |
| \$481,105,287 | Unemployment Insurance Benefits Paid          |
| \$6,068,597   | Unemployment Insurance Overpayments Collected |
| 28,491        | Appeals Filed                                 |

## *Division of Workers' Compensation*

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*Patricia Secrest  
Director*

The Division of Workers' Compensation works with employers and employees regarding workplace injuries and illnesses. Many Missouri employers are required by law to carry workers' compensation insurance for employees. Workers' compensation insurance provides financial assistance to workers injured on the job. The Division helps ensure that those injured workers receive appropriate medical treatment and payment of compensation for lost wages.

The Division also provides prompt and equitable resolution of disputes in cases of work-related injuries and occupational diseases. Mediation services are provided to help employers and employees resolve disputes about medical treatment and lost wages. This helps prevent costly depositions or formal hearings.

To ensure compliance with workers' compensation laws, the Fraud and Noncompliance Unit conducts confidential investigations of all allegations of workers' comp fraud and noncompliance on the part of employees, healthcare providers and employers, including situations when an employer fails to carry required workers' compensation insurance (noncompliance). If fraud or noncompliance is evident, the case is referred to the Office of the Attorney General for prosecution.

The Division of Workers' Compensation also assists victims of violent crimes who have suffered physical injury as a result of a crime. Dependents of deceased crime victims may also receive benefits.

### **State Fiscal Year 2005**

|         |  |
|---------|--|
| 142,648 | First Reports of Injury (workplace injuries) Filed     |
| 1,008   | Hearings (cases that go before an ALJ)                 |
| 36,297  | Total WC Awards and Settlements                        |
| 1,539   | Fraud and Noncompliance Cases Investigated             |
| 525     | Fraud and Noncompliance Cases Referred for Prosecution |
| 2,156   | Crime Victims' Compensation Cases Filed                |
| 1,192   | Crime Victims' Compensation Award Payments             |

## Division of Labor Standards

The Missouri Division of Labor Standards provides information about workplace issues and enforces certain labor laws within the state. The Division can provide information about worker safety and health, mine and cave safety, complying with laws about child labor, prevailing wage, minimum wage, overtime and dismissal rights, as well as many other general workplace issues.



*Allen Dillingham  
Director*

The Division of Labor Standards consists of three sections:

1. Wage and Hour Section
2. On-Site Safety and Health Consultation Program
3. Mine and Cave Safety and Health Program

Labor Standards' Wage and Hour Section helps Missourians get correct information regarding wages, work hours, vacations, lunches, hiring and more. Employers and employees are provided information on their workplace rights and responsibilities.

The Wage and Hour Section also administers Missouri's Child Labor and Prevailing Wage laws. They help employers protect children's safety, health, morals, educational processes and general well-being. In addition, the Division is responsible for compiling wage surveys to set the prevailing wage and conducts wage investigations to ensure the prevailing wage law is followed.

The Division's On-Site Safety and Health Consultation and Mine and Cave Safety programs strive to reduce work-related injuries, illnesses and fatalities by educating and training employers and employees on workplace safety and health issues. The Division performs consultations and inspections of work sites, during which division employees identify job hazards and offer recommendations for hazard correction and elimination. The On-Site Safety and Health Consultation Program provides no-cost, on-site safety and

health consultations with no penalties or fines for Missouri employers with up to 250 employees.

The Division's programs help Missouri's children, employers and employees participate in healthful and profitable working and educational experiences.

### State Fiscal Year 2005

|           |  |
|-----------|--|
| 4,894     | Child Labor Investigations                           |
| 4,068     | Child Labor Violations Found                         |
| 286       | Mines/Caves Inspected                                |
| 3,419     | Miners Trained                                       |
| 675       | On-Site Workplace Consultations Conducted            |
| 180       | Prevailing Wage Complaints Received                  |
| 146       | Prevailing Wage Violations Found                     |
| \$653,654 | Prevailing Wage, Penalties and Restitution Collected |

# Missouri Commission on Human Rights



*Donna Cavitte*  
*Director*

The 11-member Commission provides equitable and timely resolutions of discrimination claims through enforcement of the Missouri Human Rights Act. It develops, recommends and implements ways to prevent and eliminate discrimination in the workplace, public accommodations and housing. Discrimination based on race, color, religion, national origin, ancestry, sex, physical/mental disability, age and familial status is prohibited by the Act.

Any person has the right to file a written complaint of unlawful discrimination with the Commission on Human Rights. The Commission reviews and investigates the complaint and makes a determination whether there is probable cause to believe discrimination has occurred. If discrimination is found, conciliation is attempted. If the complaint is not resolved in conciliation, a public hearing may take place to adjudicate the matter.

The Commission also offers training to public and private employers, organized groups, school districts and housing providers on topics such as sexual harassment prevention, cultural sensitivity, disability sensitivity and fair housing information.

## State Fiscal Year 2005

2,121 Cases received  
1,916 Decisions rendered

## % Filed by Category

Employment.....87%  
Housing.....6%  
Public Accommodations .....7%

## % Filed by Type

Sex.....28%  
Race.....23%  
Retaliation.....22%  
Disability.....19%  
Age.....14%

## Commission on Human Rights

Alvin Carter  
*Chairperson*  
*Term expires 4-1-2011*

Robert Charles Scott  
*Commissioner 1st District*  
*Term expires 4-1-2007*

Herman Elmore  
*Commissioner 2nd District*  
*Term expires 4-1-2011*

Christi Anne Checkett  
*Commissioner 3rd District*  
*Term expires 4-1-2009*

Susan Lee Pentlin  
*Commissioner 4th District*  
*Term expires 4-1-2006*

Joanne M. Collins  
*Commissioner 5th District*  
*Term expires 4-1-2008*

Debra Snoke  
*Commissioner 6th District*  
*Term expires 4-1-2006*

Adolfo Castillo  
*Commissioner 7th District*  
*Term expires 4-1-2009*

Abdeldjelil "DJ" Belarbi  
*Commissioner 8th District*  
*Term expires 4-1-2007*

Jaye A. Jackson  
*Commissioner 9th District*  
*Term expires 4-1-2008*

David Zimmerman  
*Commissioner At Large*  
*Term expires 4-1-2010*

# Financial Appropriation Summary



# *State Fiscal Year 2005*

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| <u>Division</u>                                     | <u>Total Appropriation</u> |
|---|----------------------------|
| Director and Staff . . . . .                        | \$ 16,440,938              |
| Labor and Industrial Relations Commission . . . . . | \$ 910,174                 |
| Division of Employment Security . . . . .           | \$ 61,290,014              |
| Division of Labor Standards . . . . .               | \$ 2,837,749               |
| Division of Workers' Compensation . . . . .         | \$ 83,758,576              |
| Missouri Commission on Human Rights . . . . .       | \$ 1,916,948               |
| State Board of Mediation. . . . .                   | \$ 112,343                 |
| <b>Total. . . . .</b>                               | <b>\$ 167,266,742</b>      |





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